

House File 2603 - Introduced

HOUSE FILE _____
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HSB 588)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act authorizing certain advanced registered nurse
2 practitioners to file certain periodic court reports on
3 chronic substance abusers and persons with mental illness who
4 do not require full-time placement in a treatment facility.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5192HV 82
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1 1 Section 1. Section 125.2, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 13C. "Psychiatric advanced registered
1 4 nurse practitioner" means an individual currently licensed as
1 5 a registered nurse under chapter 152 or 152E who holds a
1 6 national certification in psychiatric health care and who is
1 7 registered with the board of nursing as an advanced registered
1 8 nurse practitioner.
1 9 Sec. 2. Section 125.86, subsection 2, Code 2007, is
1 10 amended to read as follows:
1 11 2. No more than sixty days after entry of a court order
1 12 for treatment of a respondent under section 125.84, subsection
1 13 3, and thereafter at successive intervals not to exceed ninety
1 14 days for as long as involuntary treatment continues, the
1 15 administrator of the facility or the psychiatrist or
1 16 psychiatric advanced registered nurse practitioner treating
1 17 the patient shall report to the court which entered the order.
1 18 The report shall be submitted in the manner required by
1 19 section 125.84, shall state whether in the opinion of the
1 20 chief medical officer or the psychiatrist or psychiatric
1 21 advanced registered nurse practitioner the respondent's
1 22 condition has improved, remains unchanged, or has
1 23 deteriorated, and shall indicate the further length of time
1 24 the respondent will require treatment by the facility. If the
1 25 respondent fails or refuses to submit to treatment as ordered
1 26 by the court, the administrator of the facility shall at once
1 27 notify the court, which shall order the respondent committed
1 28 for treatment as provided by section 125.84, subsection 3,
1 29 unless the court finds that the failure or refusal was with
1 30 good cause, and that the respondent is willing to receive
1 31 treatment as provided in the court's order, or in a revised
1 32 order if the court sees fit to enter one. If the
1 33 administrator of the facility reports to the court that the
1 34 respondent requires full-time custody, care, and treatment in
1 35 a facility, and the respondent is willing to be admitted
2 1 voluntarily to the facility for these purposes, the court may
2 2 enter an order approving the placement upon consultation with
2 3 the administrator of the facility in which the respondent is
2 4 to be placed. If the respondent is unwilling to be admitted
2 5 voluntarily to the facility, the procedure for determining
2 6 involuntary commitment, as provided in section 125.84,
2 7 subsection 3, shall be followed.
2 8 Sec. 3. Section 125.86, Code 2007, is amended by adding
2 9 the following new subsection:
2 10 NEW SUBSECTION. 3. a. A psychiatric advanced registered
2 11 nurse practitioner treating a patient previously hospitalized
2 12 under this chapter may complete periodic reports pursuant to
2 13 this section on the patient if the patient has been
2 14 recommended for treatment on an outpatient or other
2 15 appropriate basis pursuant to section 125.84, subsection 3,

2 16 and if all of the following conditions are met:

2 17 (1) A psychiatrist licensed pursuant to chapter 148, 150,
2 18 or 150A personally evaluates the patient on at least an annual
2 19 basis.

2 20 (2) The psychiatric advanced registered nurse practitioner
2 21 works in a close collaborative relationship with a
2 22 psychiatrist in treating the patient.

2 23 b. (1) Notwithstanding the provisions of paragraph "a",
2 24 an advanced registered nurse practitioner who is not certified
2 25 as a psychiatric advanced registered nurse practitioner but
2 26 who meets the requirements set forth in the definition of
2 27 mental health professional in section 228.1, on July 1, 2008,
2 28 may complete periodic reports pursuant to this section.

2 29 (2) On or after January 1, 2012, an advanced registered
2 30 nurse practitioner shall not be authorized to complete
2 31 periodic reports pursuant to this section unless the advanced
2 32 registered nurse practitioner receives a national
2 33 certification in psychiatric health care.

2 34 Sec. 4. Section 229.1, Code 2007, is amended by adding the
2 35 following new subsection:

3 1 NEW SUBSECTION. 11A. "Psychiatric advanced registered
3 2 nurse practitioner" means an individual currently licensed as
3 3 a registered nurse under chapter 152 or 152E who holds a
3 4 national certification in psychiatric health care and who is
3 5 registered with the board of nursing as an advanced registered
3 6 nurse practitioner.

3 7 Sec. 5. Section 229.15, subsection 2, Code 2007, is
3 8 amended to read as follows:

3 9 2. Not more than sixty days after the entry of a court
3 10 order for treatment of a patient pursuant to a report issued
3 11 under section 229.14, subsection 1, paragraph "c", and
3 12 thereafter at successive intervals as ordered by the court but
3 13 not to exceed ninety days so long as that court order remains
3 14 in effect, the medical director of the facility or the
3 15 psychiatrist or psychiatric advanced registered nurse

3 16 practitioner treating the patient shall report to the court
3 17 which entered the order. The report shall state whether the
3 18 patient's condition has improved, remains unchanged, or has
3 19 deteriorated, and shall indicate if possible the further
3 20 length of time the patient will require treatment by the
3 21 facility. If at any time the patient without good cause fails
3 22 or refuses to submit to treatment as ordered by the court, the
3 23 medical director shall at once so notify the court, which
3 24 shall order the patient hospitalized as provided by section
3 25 229.14, subsection 2, paragraph "d", unless the court finds
3 26 that the failure or refusal was with good cause and that the
3 27 patient is willing to receive treatment as provided in the
3 28 court's order, or in a revised order if the court sees fit to
3 29 enter one. If at any time the medical director reports to the
3 30 court that in the director's opinion the patient requires
3 31 full-time custody, care and treatment in a hospital, and the
3 32 patient is willing to be admitted voluntarily to the hospital
3 33 for these purposes, the court may enter an order approving
3 34 hospitalization for appropriate treatment upon consultation
3 35 with the chief medical officer of the hospital in which the
4 1 patient is to be hospitalized. If the patient is unwilling to
4 2 be admitted voluntarily to the hospital, the procedure for
4 3 determining involuntary hospitalization, as set out in section
4 4 229.14, subsection 2, paragraph "d", shall be followed.

4 5 Sec. 6. Section 229.15, Code 2007, is amended by adding
4 6 the following new subsection:

4 7 NEW SUBSECTION. 2A. a. A psychiatric advanced registered
4 8 nurse practitioner treating a patient previously hospitalized
4 9 under this chapter may complete periodic reports pursuant to
4 10 this section on the patient if the patient has been
4 11 recommended for treatment on an outpatient or other
4 12 appropriate basis pursuant to section 229.14, subsection 1,
4 13 paragraph "c", and if all of the following conditions are met:

4 14 (1) A psychiatrist licensed pursuant to chapter 148, 150,
4 15 or 150A personally evaluates the patient on at least an annual
4 16 basis.

4 17 (2) The psychiatric advanced registered nurse practitioner
4 18 works in a close collaborative relationship with a
4 19 psychiatrist in treating the patient.

4 20 b. (1) Notwithstanding the provisions of paragraph "a",
4 21 an advanced registered nurse practitioner who is not certified
4 22 as a psychiatric advanced registered nurse practitioner but
4 23 who meets the requirements set forth in the definition of
4 24 mental health professional in section 228.1 on July 1, 2008,
4 25 may complete periodic reports pursuant to this section.

4 26 (2) On or after January 1, 2012, an advanced registered

4 27 nurse practitioner shall not be authorized to complete
4 28 periodic reports pursuant to this section unless the advanced
4 29 registered nurse practitioner receives a national
4 30 certification in psychiatric health care.

4 31 EXPLANATION

4 32 This bill authorizes certain advanced registered nurse
4 33 practitioners to file certain periodic court reports on
4 34 chronic substance abusers and persons with mental illness who
4 35 do not require full-time placement in a treatment facility.

5 1 The bill provides that no more than 60 days after entry of
5 2 a court order for treatment of a respondent who is either a
5 3 chronic substance abuser (Code chapter 125) or who is mentally
5 4 ill (Code chapter 229) who does not require full-time
5 5 placement in a treatment facility and thereafter at successive
5 6 intervals not to exceed 90 days for as long as the involuntary
5 7 treatment continues, the psychiatrist or psychiatric advanced
5 8 registered nurse practitioner shall have the authority, along
5 9 with the administrator of the treatment facility, to report to
5 10 the court which entered the order and shall state whether in
5 11 the opinion of the psychiatrist or psychiatric advanced
5 12 registered nurse practitioner the respondent's condition has
5 13 improved, remains unchanged, or has deteriorated, and shall
5 14 indicate the further length of time the respondent will
5 15 require treatment by the facility.

5 16 The bill provides that a psychiatric advanced registered
5 17 nurse practitioner treating a patient previously hospitalized
5 18 under either Code chapter 125 or Code chapter 229 may complete
5 19 periodic reports on the patient if the patient has been
5 20 recommended for treatment on an outpatient or other
5 21 appropriate basis and if a psychiatrist licensed pursuant to
5 22 chapter 148, 150, or 150A personally evaluates the patient on
5 23 at least an annual basis, and the psychiatric advanced
5 24 registered nurse practitioner works in a close collaborative
5 25 relationship with a psychiatrist in treating the patient. An
5 26 advanced registered nurse practitioner who is not certified as
5 27 a psychiatric advanced registered nurse practitioner but who
5 28 meets the requirements set forth in the definition of mental
5 29 health professional in Code section 228.1 on July 1, 2008, may
5 30 complete periodic reports pursuant to the bill. On or after
5 31 January 1, 2012, an advanced registered nurse practitioner
5 32 shall not be authorized to complete periodic reports pursuant
5 33 to the bill unless the advanced registered nurse practitioner
5 34 receives a national certification in psychiatric health care.

5 35 "Psychiatric advanced registered nurse practitioner" is an
6 1 individual currently licensed as a registered nurse under Code
6 2 chapter 152 or 152E who holds a national certification in
6 3 psychiatric health care and who is registered with the board
6 4 of nursing as an advanced registered nurse practitioner.

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